

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Marsh et al.

Serial No.: 09/758,824

Filed: January 11, 2001

For: SYSTEM AND METHOD FOR

DETERMINING OPTICAL WIRELESS COMMUNICATION SERVICE PLANS BASED ON HISTORICAL PROJECTION

ANALYSIS

Examiner: Catherine M. Colon

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Examining Group 2163

COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

THIRD PARTY SUBMISSION IN PUBLISHED APPLICATION UNDER 37 C.F.R. § 1.99

Dear Sir:

Pursuant to 37 C.F.R. § 1.99, this is a submission of patents and published patent applications for entry in the above-noted pending published application. A listing of the patents and published patent applications are provided on the attached IDS Form as well as a copy of which is provided for use by the Examiner. Note, the published patent applications are pending applications filed by Applicant that may be relevant to the prosecution of the above-noted patent application because it is based on the same provisional patent application.

Additionally, a fee in compliance with 37 C.F.R. § 1.17(p) is enclosed but should an additional fee be required, please charge Deposit Account 50-1123.

Pursuant to 37 C.F.R. § 1.248, the submission was served concurrently with this filing on April 5, 2002 by transmission by first class mail to the following correspondence address or attorney of record in the published patent application:

Scott A. Horstemeyer Thomas, Kayden, Horstemeyer & Risley, L.L.P. Suite 1750 100 Galleria Parkway Atlanta, GA 30339

04/09/2002 NMOHAMM1 00000105 09758824

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Consideration of the submitted published patent application is respectfully requested.

Respectfully submitted,

Date: 4/05/02

Kent A. Lembke, Reg. No. 44,866

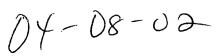
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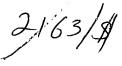
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CERTIFICATE OF MAILING BY EXPRESS MAIL

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Sir:

The undersigned hereby certifies that the attached Third Party Submission in Published Application, Information Disclosure Statement, Form PTO/SB/08A with copies of issued patents and published patent applications, Check in the amount of \$180.00, return card and this Certificate of Mailing by Express Mail, relating to the above application, were deposited as "Express Mail" Mailing Label No. EL791523661US, with the United States Postal Service, addressed to The Commissioner for Patents, Washington, D.C., 20231 on April 5, 2002.

Date

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